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PATENT APPLICATION

ATTORNEY DOCKET NO. 200308343-1

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Michael Carleton et al

Confirmation No.: 4021

Application No.: 09/684472

Examiner:

Filing Date: Oct 06, 2000

Group Art Unit:

Title: Modular, Dynamically Extensible, And Integrated Storage Area Network Management System

Mail Stop 16  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450REQUEST FOR REFUND  
IMPROPER CHARGE OF DEPOSIT ACCOUNT

## I. REFUND REQUEST

This is a request for a refund in the amount of \$ 120.00, with respect to the charge to the Deposit Account No. 08-2025, shown on the statement dated 3-31-2006, for the above identified patent application.

## II: FEES CHARGED FOR WHICH REFUND IS REQUESTED

1251 for \$120.00

## III: EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Appellant filed a Notice of Appeal on 12/14/2005 along with a pre-appeal brief request for conference. The Notice of Panel Decision from Pre-appeal Brief Review was mailed on 01/27/2006 stating: "The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater." Thus, the appeal brief was not due until 02/27/06 as that is the greater of the two dates. The appeal brief was filed on 02/27/2006 so no extension of time fee was due.

## IV: MANNER OF REFUND

Please make refund of \$ 120.00 crediting Account No. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit:

OR

I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.  
Data of facsimile: August 26, 2006

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Michael Carleton et al

By

Augustus W. Winfield

Augustus W. Winfield

Attorney/Agent for Applicant(s)

Reg No.: 34,042

Date: 9/6/2006

Telephone: 970 898 3142

Rev 10/05 (Refund)

AUG 25 2006 08:26

HP LEGAL FT COLLINS

9708987247 P.02



UNITED STATES PATENT AND TRADEMARK OFFICE

AN 31 2006

200308343-1

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Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,472 ✓	10/06/2000 ✓	Suben Krishnamoorthy	SD00-2879	4021 ✓
7590	01/27/2006			
HEWLETT-PACKARD COMPANY P. O. 272400 FT. COLLINS, CO 80527-2400			EXAMINER	
			DR. PHILIP C	
			ART UNIT	PAPER NUMBER
			3154	

DATE MAILED: 01/27/2006

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

PAGE 24 \* RCV'D AT 8/25/2006 10:24:59 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/39 \* DMS:2738300 \* CSID:9708987247 \* DURATION (mm:ss):00:46

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Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination
	09/684,472	KRISHNAMOORTHY ET AL.
	Philip Lee	Art Unit 2154
<b>Document Code - AP.PRE.DEC</b>		

## Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 12/14/05.

1.  **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- The request does not include reasons why a review is appropriate.
- A proposed amendment is included with the Pre-Appeal Brief request.
- Other: \_\_\_\_\_

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2.  **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.138 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 18-35

Claim(s) withdrawn from consideration: \_\_\_\_\_

3.  **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4.  **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) John Follansbee  
JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

(3) Rupal Dharia

(4) \_\_\_\_\_



## UNITED STATES PATENT AND TRADEMARK OFFICE

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MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

HEWLETT-PACKARD COMPANY  
 MARIA CARROLL/CORA NEUBERGER  
 INTELLECTUAL PROPERTY ADMINIS. M/S 35  
 P.O. BOX 272400  
 FT. COLLINS CO 80527-2400

FINA

Account No.	
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Date	3-31-06
Page	18

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DATE POSTED	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEES CODE	CHARGES/ CREDITS	BALANCE
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MS0205 (11/2005)

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- Sales Receipt -

03/15/2006 LHINTON 00000001 082025 09684472

01 FC:1251 120.00 DA

Adjustment date: 09/13/2006 ZJUHAR1  
03/15/2006 LHINTON 00000001 082025 09684472  
01 FC:1251 120.00 CR

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